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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 MICHAEL MONTGOMERY,

11 Plaintiff,

12 vs.

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14 WAL-MART STORES, INC.;
15 KINDERHOOK INDUSTRIES II, LP;
16 KINDERHOOK INDUSTRIES, LLC;
17 KINDERHOOK CAPITAL FUND II,
18 LP; CRESTWOOD HOLDINGS,
19 INC.; BERGAN, L.L.C.; JOHN
ELMBURG; ROBERT ELMBURG;
ERIC ELMBURG; ROCKY FLICK;
HOME DEPOT U.S.A., INC.; and
DOES 1 through 20, inclusive,

20 Defendants.

CASE NO. 12CV3057 JLS (DHB)

**ORDER GRANTING JOINT
MOTION FOR CONTINUANCE OF
DUE DATES FOR OPPOSITION
PAPERS AND REPLY PAPERS
RELATING TO THE
KINDERHOOK DEFENDANTS'
MOTION TO DISMISS OR, IN THE
ALTERNATIVE, TO STAY**

(ECF No. 59)

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22 Presently before the Court is the parties' Joint Motion for Continuance of Due
23 Dates for Opposition Papers and Reply Papers Relating to the Kinderhook Defendants'
24 Motion to Dismiss or, in the Alternative, to Stay. (ECF No. 59). Good cause
25 appearing, the Court **GRANTS** the motion. Plaintiff Michael Montgomery **SHALL**

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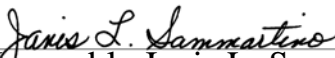
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1 **FILE** an opposition on, or before, May 16, 2013. The Kinderhook Defendants **SHALL**
2 **FILE** a reply, if they wish, on, or before, May 23, 2013.

3 **IT IS SO ORDERED.**

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5 DATED: April 30, 2013

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7 Honorable Janis L. Sammartino
8 United States District Judge
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